



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/508,635	05/18/2000	OLIVIER BALLEVRE	112701-066	7617
29157	7590	01/02/2009	EXAMINER	
BELL, BOYD & LLOYD LLP			LUKTON, DAVID	
P.O. Box 1135				
CHICAGO, IL 60690			ART UNIT	PAPER NUMBER
			1654	
			NOTIFICATION DATE	DELIVERY MODE
			01/02/2009	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATENTS@BELLBOYD.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

Ex parte OLIVIER BALLEVRE, LIONEL BOVETTO, SOPHIE CHARRIER-BROMONT, JEAN GRIZARD and JEAN-CLAUDE MAIRE

---

Application No. 09/508,635  
Technology Center 1600

---

Mailed: December 31, 2008

---

Before GLORIA HENDERSON, *Review Team Paralegal*  
HENDERSON, *Review Team Paralegal.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on July 24, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter(s) requiring attention prior to docketing are identified below.

A review of the file indicates the “APPEAL BRIEF” filed March 7, 2006 is defective. The copy of the appealed claims contained in the Appendix to the brief is not correct (see claim 30). The Advisory Action filed August 5, 2005, states that the amendment filed July 8, 2005, will not be entered. Clarification and correction of the record is required.

Accordingly, it is

**ORDERED** that the application is electronically returned to the Examiner to:

- 1) hold the Appeal Brief filed on March 7, 2006, defective;
- 2) notify appellants to file a Supplemental Appeal Brief for the “Claims Appendix” as set forth in 37 CFR § 41.37(c)(1)(viii);
- 3) consider the Supplemental Appeal Brief and if the Supplemental Appeal Brief is in compliance, issue and mail a Form PTOL-90 acknowledging receipt and consideration of the Supplemental Appeal Brief; and
- 4) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

GJH

BELL, BOYD & LLOYD LLP  
P.O. BOX 1135  
CHICAGO, IL 60690